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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

INTUS CARE, INC.,

Plaintiff,

vs.

RTZ ASSOCIATES, INC.; and DOES 1
through 10,

Defendants,

Case No: 4:24-cv-01132-JST

Assigned to: Hon. Jon S. Tigar

**DECLARATION OF DAVID C. LEE IN
SUPPORT OF INTUS CARE INC.'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED**

Date: June 26, 2025

Time: 2:00 p.m.

Courtroom: 6

Complaint Filed: February 23, 2024

Amended Complaint Filed: April 2, 2024

Counterclaims Filed: June 20, 2024

DECLARATION OF DAVID C. LEE

I, David C. Lee, declare as follows:

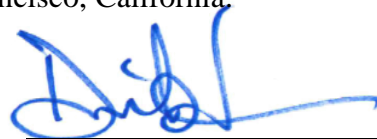
1. I am an attorney at law admitted to practice in this Court, and a partner of Nossaman LLP, counsel of record in this action for Defendant RTZ Associates, Inc. (“RTZ”). I make this declaration in support of Intus Care, Inc.’s (“Intus”) Administrative Motion to Consider Whether Another Party’s Material Should be Sealed. I have personal knowledge of the facts set forth in this declaration and if called as a witness, I could and would completely testify to those facts.

2. Portions of Intus’ Motion for Partial Summary Judgment (“Motion”) contain confidential and proprietary information about RTZ’s business relationships with its clients. Specifically, Exhibits 5-8 in support of Intus’ Motion are contracts governing the access and use of RTZ’s PACECare software. RTZ has designated Exhibits 5-8 as “HIGHLY CONFIDENTIAL – ATTORNEY’S EYES ONLY” pursuant to the Stipulated Protective Order in this case. (Dkt. No. 44.)

3. The sensitive business information contained in these exhibits and used in portions of Intus’ Motion could cause significant competitive harm to RTZ if disclosed to the public. The ‘compelling reasons’ standard for sealing materials “is met for confidential business information that would harm a party’s competitive standing.” *Skillz Platform Inc. v. AviaGames Inc.*, No. 21-CV-02436-BLF, 2023 WL 7928746, at *3 (N.D. Cal. Nov. 16, 2023) (citing cases). There is no less restrictive alternative to sealing the information that would protect the confidentiality interests at issue.

I declare under penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct.

Dated this 5th day of May 2025 in San Francisco, California,



DAVID C. LEE